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12235 El Camino Real, Suite 200 San Diego, CA 92130-3002 PHONE 858.350.2300 FAX 858.350.2399

www.wsgr.com

GERARD M. STEGMAIER Internet: gstegmaier@wsgr.com Direct Dial: 202.973.8809

April 12, 2011

### <u>VIA U.S. MAIL</u>

Office of Consumer Affairs and Business Regulation Attn: Barbara Anthony, Undersecretary Ten Park Plaza, Suite 5170 Boston, MA 02116



Dear Undersecretary Anthony,

We are writing to inform you that we will be sending notice to 4 Massachusetts addresses advising them that we recently discovered a very small number of our computers used to process customer orders were infected by a previously unknown virus which may have compromised a small number of payment transactions. The affected information included credit card numbers and related information collected to process transactions.

We have contacted and are working with federal law enforcement. The affected machines were immediately locked down and our security teams continue to investigate and remediate the situation. We have no evidence or reason to believe that any of the affected information has been misused. To assist your residents with their efforts to protect themselves, we have arranged to make credit monitoring and related identity theft prevention and detection services available to them at no cost.

The notice, which is attached, was sent via UPS to the affected Massachusetts residents on April 12, 2011. Please call me if you have any questions.

Sincerely,

WILSON SONSINI GOODRICH & ROSATI Professional Corporation

Gerard M. Stegmaier

Enclosure

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5711 S.86<sup>th</sup> Circle Omaha, NE 68127 Office 402.593.4500 www.infogroup.com

April 12, 2011

## [NAME] [ADDRESS]

We write to inform you that very recently we detected a security incident that appears to have involved some of your personal information that you have provided to us in connection with the use of our services. Our investigation into the incident is on-going but we wanted to contact you immediately.

We have no evidence that this information has been misused. However, because you are in a position to further protect against misuse of your personal information, we wanted to inform you of the situation and encourage you to take steps you deem appropriate to help protect your personal information from misuse. To assist you with these efforts, we have arranged to make credit monitoring available to you at no cost, which is explained in detail below.

# ProtectMyID.com® Credit Monitoring – Adults Only

We have engaged ConsumerInfo.com, Inc., an Experian® company, to offer each affected adult one year of a credit monitoring product known as ProtectMyID.com, at no cost to you. Should you elect to enroll in ProtectMyID.com, Experian will begin to monitor your credit reports from Experian, Equifax® and TransUnion® on a daily basis and notify you of key changes, which will enable you to identify potential fraudulent activity, if any. More specifically, your complimentary 12-month ProtectMyID.com membership includes:

- Credit Report Monitoring: Daily monitoring and timely alerts of any key changes to your credit
  reports—so you know when there is any activity that you should be made aware of such as
  notification of new inquiries, newly opened accounts, delinquencies, public records or address
  changes
- Internet Scanning: Daily scanning of the internet of your social security, credit card, and debit card information to better protect you from potential fraud
- 1-Bureau credit report: Receive a free copy of your Experian credit report upon sign up.
- Access to our Fraud Resolution Agents: Qualified, experienced, knowledgeable agents who
  will help investigate identity theft incidents. If you suspect your identity has been compromised,
  call ProtectMyID.com's Fraud Resolution Agents immediately so they can work with you to
  resolve the situation. You'll be assigned a dedicated agent to work with you in addressing your
  concerns.
- Lost Wallet Protection: If your wallet is lost or stolen, we help you notify your creditors to get new cards.
- \$1 Million Insurance Policy:- if you become a victim of identity theft while a member, you may be reimbursed up to \$1 million for costs such as lost wages, private investigator fees, and unauthorized electronic fund transfers.\*

\* Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of Chartis, Inc. The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

To activate your complimentary one year membership in ProtectMyID from Experian, visit the website listed below and enter your individual activation code. If you prefer, you can enroll on the phone by speaking with Experian Customer Care representatives toll-free at (877) 441-6943. Each adult will need to use a separate activation code.

ProtectMyID Web Site: http://www.protectmyid.com/enroll Your Activation Code: PMDZQWZHH You Must Enroll By: July 31, 2011

#### **How You Can Protect Yourself:**

To assist you in protecting yourself, with this letter we provide general information which may be useful to you in analyzing what precautionary steps you may want to take.

Although we have no evidence that your information has been misused, access to personal information by others is increasingly of public concern and below are a few sites which contain useful information for consumers.

www.privacy.ca.gov www.ftc.gov/bcp/edu/microsites/idtheft/

The law entitles you to receive a free copy of your credit report annually from each of the three major credit reporting bureaus. If you enroll in the ProtectMyID.com service being offered, you will have access to this information. Even if you decide not to do so, we recommend that you consider a review of your credit report from each of the three major credit reporting agencies: Experian, Equifax, and Transunion (contact information provided below). When you receive your credit report, review it carefully. You should notify the credit bureaus of any inaccuracies in your report as soon as possible so the information can be investigated and, if found to be in error, corrected. If you discover unauthorized accounts or charges on your credit reports, you should immediately notify the appropriate credit bureau by telephone and in writing. If you find suspicious activity on your credit reports or have reason to believe your information is being misused, notify local law enforcement and file a police report. You should obtain a copy of the police report as many creditors require the information it contains before they will absolve you of the fraudulent debts.

EXPERIAN			
P.O. Box 2002			
Allen, TX 75013			
(888) 397-3742			

EQUIFAX P.O. Box 740241 Atlanta, GA 30374 (800) 685-1111 TRANSUNION P.O. Box 2000 Chester, PA 19022 (800) 916-8800 Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission recommends that you check your credit reports periodically. Monitoring your credit reports is one of the best ways you can protect yourself.

#### Information for Massachusetts Residents:

Pursuant to Massachusetts law, residents of Massachusetts who have been affected have a right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

Further, Massachusetts residents have an additional right to request a security freeze on their credit report. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services. Note that if you have been a victim of identity theft, a credit reporting agency cannot charge you for placing, lifting or removing a security freeze if you provide that agency with a police report. If you do not provide such a police report, the fee for a security freeze may be up to \$5 per transaction for placing, lifting, or removing the freeze.

In order to place a security freeze on your credit report, you must send a written request to each of the three credit bureaus (Experian, Equifax, and TransUnion) at the following addresses:

Equifax Security Freeze P.O. Box 105788 Atlanta, GA 30348 Experian Security Freeze P.O. Box 9554 Allen, TX 75013 Trans Union Security Freeze Fraud Victim Assistance Dept. P.O. Box 6790 Fullerton, CA 92834

Your written request to place a security freeze must include the following information:

- 1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
- 2. Social Security Number;
- 3. Date of birth;
- 4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
- 5. Proof of current address such as a current utility bill or telephone bill;
- 6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
- 7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;
- 8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express or Discover only). Do not send cash through the mail.

Infogroup takes your privacy and the protection of your personal information very seriously.

Infogroup has taken additional steps to strengthen its protection of the personal information which it

maintains, and will continue to closely monitor and take further steps as appropriate to safeguard such information. We sincerely regret any inconvenience that this situation may cause you, and assure you that Infogroup has been and will continue to be vigilant in the protection of your personal information. We encourage you to take advantage of the ProtectMyID.com benefit the company is offering to you at no expense.

Should you have any questions about this matter, please contact 866-334-8720 and we will address any questions or concerns you may have.

Sincerely,

John Copenhaver President, Small Business Group